

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
COURT FILE NO.: 12-cv-915 TNL**

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Brian F. Hupperts, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

**PLAINTIFF'S UNOPPOSED MOTION  
FOR ATTORNEY'S FEES & COSTS**

APOGEE Retail, LLC d/b/a Unique  
Thrift Store, Valu Thrift Store, Unique,  
and Value Village; Apogee Retail NY  
LLC d/b/a Unique and Unique Thrift  
Store; and Apogee NY, LLC d/b/a  
Unique Thrift Store, Value Village and  
Unique,

Defendants.

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Plaintiff hereby moves the Court for an award for attorney's fees and costs in connection with the above-entitled class action in an amount of \$125,000. Plaintiff's Memorandum and evidence in support of Plaintiff's Motion shall be filed contemporaneously herewith.

Dated this 16<sup>th</sup> day of September, 2013.

By: s/Thomas J. Lyons, Jr.  
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**ATTORNEY FOR PLAINTIFF  
AND THE CLASS**